

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND THIRTEENTH LEGISLATURE
4

5 Legislative Document

No. 131

7 S.P. 64

In Senate, January 28, 1987

8 Reference to the Committee on Legal Affairs suggested and
9 ordered printed.

10 JOY J. O'BRIEN, Secretary of the Senate
Presented by Senator ERWIN of Oxford.
Cosponsored by Representative JACQUES of Waterville.

11 STATE OF MAINE
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14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-SEVEN
16

17 AN ACT Relating to Catering Services under
18 the Liquor Law.
19

20 Be it enacted by the People of the State of Maine as
21 follows:

22 Sec. 1. 28 MRSA §801-C, as amended by PL 1985,
23 c. 549, §2, is repealed.

24 Sec. 2. 28 MRSA §801-D is enacted to read:

25 §801-D. Qualified catering services

26 1. Issuance of licenses. Notwithstanding any
27 other provision of law, the commission may issue li-
28 licenses under this section for the sale of spirits,
29 wine and malt liquor to be consumed on the premises
30 to qualified catering services as defined in section
31 2, subsection 13-A.

1 A. "Premises," as used in this section, means the
2 premises where the qualified catering service is
3 selling and serving liquor, either its principal
4 place of business or the premises where the event
5 being catered is held.

6 2. Compliance with local option decisions. The
7 commission may license only those qualified catering
8 services whose principal place of business is located
9 in municipalities and unincorporated places which
10 have previously voted affirmatively on questions per-
11 taining to Class A restaurants provided in chapter 5.

12 A. Every event catered by the qualified catering
13 service must also be located in a municipality or
14 unincorporated place which has previously voted
15 affirmatively on questions pertaining to Class A
16 restaurants provided in chapter 5.

17 3. Income from sale of food requirement. At
18 least a minimum amount of annual income must be from
19 the sale of food for each qualified catering service.
20 The income from sale of food requirement shall be
21 based on the population of the municipality in which
22 the qualified catering service is located.

23 A. In municipalities having a population of over
24 50,000 persons:

25 (1) Year-round qualified catering services
26 must have a minimum income of \$50,000 a year
27 from the sale of food to the public; and

28 (2) Part-time qualified catering services
29 must have a minimum income of:

30 (a) Thirty thousand dollars from the
31 sale of food to the public as a re-
32 quirement for a part-time license not
33 in excess of 6 consecutive months; and

34 (b) Twenty thousand dollars from the
35 sale of food to the public as a re-
36 quirement for a part-time license not
37 in excess of 3 consecutive months;

38 B. In municipalities having a population of
39 30,001 to 50,000 persons:

1 (1) Year-round qualified catering services
2 must have a minimum income of \$40,000 a year
3 from the sale of food to the public; and

4 (2) Part-time qualified catering services
5 must have a minimum income of:

6 (a) Twenty-five thousand dollars from
7 the sale of food to the public as a re-
8 quirement for a part-time license not
9 in excess of 6 consecutive months; and

10 (b) Twenty thousand dollars from the
11 sale of food to the public as a re-
12 quirement for a part-time license not
13 in excess of 3 consecutive months;

14 C. In municipalities having a population of
15 20,001 to 30,000 persons:

16 (1) Year-round qualified catering services
17 must have a minimum income of \$30,000 a year
18 from the sale of food to the public; and

19 (2) Part-time qualified catering services
20 must have a minimum income of \$20,000 from
21 the sale of food to the public as a require-
22 ment for a part-time license not in excess
23 of 6 consecutive months; and

24 D. In municipalities having a population of
25 20,000 persons or less:

26 (1) Year-round qualified catering services
27 must have a minimum income of \$20,000 a year
28 from the sale of food to the public; and

29 (2) Part-time qualified catering services
30 must have a minimum income of \$15,000 from
31 the sale of food to the public as a require-
32 ment for a part-time license not in excess
33 of 6 consecutive months.

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STATEMENT OF FACT

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The purpose of this bill is to allow the commission to issue licenses for the sale of spirits, wine and malt liquor to be consumed on the premises to qualified catering services.

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